

109TH CONGRESS  
1ST SESSION

# S. 1618

To regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2005

Ms. CANTWELL (for herself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Marriage  
5 Broker Regulation Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) There is a substantial international mar-  
2           riage broker business worldwide. A 1999 report by  
3           the Immigration and Naturalization Service esti-  
4           mated that there were at least 200 such companies  
5           operating in the United States, and that as many as  
6           4,000 to 6,000 individuals in the United States, al-  
7           most all male, found foreign spouses through for-  
8           profit international marriage brokers each year. The  
9           international marriage broker business has grown  
10          significantly in recent years, greatly facilitated by  
11          the Internet. Studies suggest that in 2005 approxi-  
12          mately 500 such companies operate in the United  
13          States. In addition, the total number of foreign indi-  
14          viduals entering the United States to marry United  
15          States residents each year more than doubled be-  
16          tween 1998 and 2002. It is estimated, then, that in  
17          2005 at least 8,000 to 12,000 individuals in the  
18          United States find foreign spouses through for-profit  
19          international marriage brokers each year.

20          (2) That report noted that the “pervasiveness  
21          of domestic violence in our society has already been  
22          documented, and with the burgeoning number of un-  
23          regulated international matchmaking organizations  
24          and clients using their services, the potential for  
25          abuse in mail-order marriages is considerable.” The

1 report noted further that men in the United States  
2 who use the services of an international marriage  
3 broker tend to seek relationships with women whom  
4 they feel they can control.

5 (3) The dangers posed to foreign women who  
6 meet their United States husbands through inter-  
7 national marriage brokers are underscored by the  
8 growing number of cases across the United States of  
9 foreign women who have been abused or killed by  
10 those husbands. Two highly publicized examples are  
11 the murders in Washington State of Susanna  
12 Remunerata Blackwell of the Philippines and  
13 Anastasia Solovieva King of Kyrgyzstan.

14 (4) A 2003 survey of programs providing legal  
15 services to battered immigrant women across the  
16 country found that more than 50 percent of these  
17 programs had served female immigrant clients bat-  
18 tered by men in the United States they met through  
19 international marriage brokers.

20 (5) 30.4 percent of all women in the United  
21 States are physically abused by their husbands or  
22 male cohabitants at some point in their lives. 49.3  
23 percent of immigrants reported physical abuse by an  
24 intimate partner during their lifetimes, with 42.1  
25 percent reporting severe physical or sexual abuse.

1 Among immigrants who were married or formerly  
2 married the lifetime abuse rate raises as high as  
3 59.5 percent.

4 (6) Of abusive United States citizen or legal  
5 resident spouses, 72.3 percent never file the immi-  
6 gration papers necessary for their foreign spouses to  
7 obtain legal immigrant status, and the 27.7 percent  
8 who eventually do file wait an average of 4 years to  
9 do so. In 1994, Congress included immigration pro-  
10 tections in the Violence Against Women Act  
11 (“VAWA”) (Public Law 103–322; 108 Stat. 1902),  
12 to remove the ability of abusive United States citi-  
13 zens and legal permanent residents to fully control  
14 their foreign spouses’ ability to gain legal immigra-  
15 tion status. By removing the threat of automatic de-  
16 portation, VAWA aims to enable battered immi-  
17 grants to take actions to protect themselves and  
18 their children, such as calling the police, obtaining  
19 a civil protection order, or filing criminal charges.

20 (7) Aliens seeking to enter the United States to  
21 marry citizens or legal residents of the United  
22 States currently lack the ability to access and fully  
23 verify personal history information about their pro-  
24 spective spouses in the United States.

1           (8) Many individuals entering the United States  
2           on K nonimmigrant visas to marry citizens of the  
3           United States are unaware of United States laws re-  
4           garding—

5                   (A) domestic violence, including protections  
6                   for immigrant victims of domestic violence, sex-  
7                   ual assault, and stalking;

8                   (B) prohibitions on involuntary servitude;

9                   (C) protections from automatic deporta-  
10                  tion; and

11                  (D) the role of police and the courts in  
12                  providing assistance to victims of domestic vio-  
13                  lence and other crimes.

14 **SEC. 3. DEFINITIONS.**

15       In this Act:

16           (1) **CRIME OF VIOLENCE.**—The term “crime of  
17           violence” has the meaning given such term in section  
18           16 of title 18, United States Code.

19           (2) **DOMESTIC VIOLENCE.**—The term “domestic  
20           violence” means any crime of violence, or other act  
21           forming the basis for a past or outstanding protec-  
22           tive order, restraining order, no-contact order, con-  
23           viction, arrest, or police report, committed against a  
24           person by—

1 (A) a current or former spouse of the per-  
2 son;

3 (B) an individual with whom the person  
4 shares a child in common;

5 (C) an individual with whom the person is  
6 cohabiting or has cohabited;

7 (D) an individual similarly situated to a  
8 spouse of the person under the domestic or  
9 family violence laws of the jurisdiction in which  
10 the offense occurs; or

11 (E) any other individual if the person is  
12 protected from that individual's acts pursuant  
13 to a court order issued under the domestic or  
14 family violence laws of the United States or any  
15 State, Indian tribal government, or unit of local  
16 government.

17 (3) FOREIGN NATIONAL CLIENT.—The term  
18 “foreign national client” means an individual who is  
19 not a United States citizen, a national of the United  
20 States, or an alien lawfully admitted to the United  
21 States for permanent residence and who utilizes the  
22 services of an international marriage broker, and in-  
23 cludes an alien residing in the United States who is  
24 in the United States as a result of utilizing the serv-  
25 ices of an international marriage broker.

(4) INTERNATIONAL MARRIAGE BROKER.—

(A) IN GENERAL.—The term “international marriage broker” means a corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States, that charges fees for providing dating, matrimonial, matchmaking services, or social referrals between United States clients and foreign national clients by providing personal contact information or otherwise facilitating communication between individuals from these respective groups.

(B) EXCEPTIONS.—Such term does not include—

(i) a traditional matchmaking organization of a cultural or religious nature that operates on a nonprofit basis and in compliance with the laws of the countries in which it operates, including the laws of the United States; or

(ii) an entity that provides dating services between United States citizens or residents and other individuals who may be aliens, but does not do so as its principal business, and charges comparable rates to

1 all individuals it serves regardless of the  
2 gender, country of citizenship, or residence  
3 of the individual.

4 (5) K NONIMMIGRANT VISA.—The term “K  
5 nonimmigrant visa” means a nonimmigrant visa  
6 issued pursuant to clause (i) or (ii) of section  
7 101(a)(15)(K) of the Immigration and Nationality  
8 Act (8 U.S.C. 1101(a)(15)(K)).

9 (6) PERSONAL CONTACT INFORMATION.—

10 (A) IN GENERAL.—The term “personal  
11 contact information” means information or a  
12 forum that would permit individuals to contact  
13 each other and includes—

14 (i) the name, telephone number, post-  
15 al address, electronic mail address, and  
16 voice message mailbox of an individual;  
17 and

18 (ii) the provision of an opportunity for  
19 an in-person meeting.

20 (B) EXCEPTION.—Such term does not in-  
21 clude a photograph or general information  
22 about the background or interests of a person.

23 (7) STATE.—The term “State” includes the  
24 District of Columbia, Puerto Rico, the Virgin Is-  
25 lands, Guam, and American Samoa.



1           (8) UNITED STATES CLIENT.—The term  
 2           “United States client” means a United States cit-  
 3           izen or other individual who resides in the United  
 4           States and who makes a payment or incurs a debt  
 5           in order to utilize the services of an international  
 6           marriage broker.

7   **SEC. 4. REGULATION OF INTERNATIONAL MARRIAGE BRO-**  
 8                           **KERS.**

9           (a) PROHIBITION ON MARKETING CHILDREN.—An  
 10          international marriage broker shall not provide any United  
 11          States client or other person with the personal contact in-  
 12          formation, photograph, or general information about the  
 13          background or interests of any individual under the age  
 14          of 18.

15          (b) LIMITATIONS ON SHARING INFORMATION RE-  
 16          GARDING FOREIGN NATIONAL CLIENTS.—

17               (1) IN GENERAL.—An international marriage  
 18          broker shall not provide any United States client or  
 19          other person with the personal contact information  
 20          of any foreign national client or other individual 18  
 21          years of age or older unless and until the inter-  
 22          national marriage broker has—

23                       (A) collected certain background informa-  
 24                       tion from the United States client or other per-  
 25                       son to whom the personal contact information

1 would be provided, as specified in subsection  
2 (c);

3 (B) provided a copy of that background in-  
4 formation to the foreign national client or other  
5 individual in the primary language of that client  
6 or individual;

7 (C) provided to the foreign national client  
8 or other individual in such primary language  
9 the information about legal rights and resources  
10 available to immigrant victims of domestic vio-  
11 lence and other crimes in the United States de-  
12 veloped under section 5;

13 (D) received from the foreign national cli-  
14 ent or other individual in such primary lan-  
15 guage a written consent that is signed (includ-  
16 ing using an electronic signature) to release  
17 such personal contact information to the spe-  
18 cific United States client or other person to  
19 whom the personal contact information would  
20 be provided; and

21 (E) informed the United States client or  
22 other person from whom background informa-  
23 tion has been collected that, after filing a peti-  
24 tion for a K nonimmigrant visa, the United

1 States client or other person will be subject to  
2 a criminal background check.

3 (2) CONFIDENTIALITY AFTER ORDER OF PRO-  
4 TECTION OR CRIME.—

5 (A) NONDISCLOSURE OF INFORMATION RE-  
6 GARDING INDIVIDUALS WITH PROTECTION OR-  
7 DERS AND VICTIMS OF CRIMES.—In fulfilling its  
8 obligations under this subsection, an inter-  
9 national marriage broker shall not disclose the  
10 name or location of an individual who obtained  
11 a restraining or protection order as described in  
12 subsection (c)(2)(A), or of any other victim of  
13 a crime as described in subparagraphs (B)  
14 through (D) of subsection (c)(2).

15 (B) DISCLOSURE OF INFORMATION RE-  
16 GARDING UNITED STATES CLIENTS.—An inter-  
17 national marriage broker shall disclose the rela-  
18 tionship of the United States client or other  
19 person to an individual or victim described in  
20 paragraph (A).

21 (c) OBLIGATIONS OF INTERNATIONAL MARRIAGE  
22 BROKER WITH RESPECT TO MANDATORY COLLECTION  
23 OF INFORMATION.—

24 (1) IN GENERAL.—Each international marriage  
25 broker shall collect the background information list-

1 ed in paragraph (2) from each United States client  
2 or other person to whom the personal contact infor-  
3 mation of a foreign national client or any other indi-  
4 vidual would be provided. The background informa-  
5 tion must be in writing and signed (including using  
6 an electronic signature) by the United States client  
7 or other person to whom the personal contact infor-  
8 mation of a foreign national client or any other indi-  
9 vidual would be provided.

10 (2) REQUIRED BACKGROUND INFORMATION.—

11 An international marriage broker shall collect from  
12 a United States client or other person under para-  
13 graph (1) background information about each of the  
14 following:

15 (A) Any court order restricting the client's  
16 or person's physical contact or communication  
17 with or behavior towards another person, in-  
18 cluding any temporary or permanent civil re-  
19 straining order or protection order.

20 (B) Any arrest or conviction of the client  
21 or person for homicide, murder, manslaughter,  
22 assault, battery, domestic violence, rape, sexual  
23 assault, abusive sexual contact, sexual exploi-  
24 tation, incest, child abuse or neglect, torture,  
25 trafficking, peonage, holding hostage, involun-

1           tary servitude, slave trade, kidnapping, abduction,  
2           tion, unlawful criminal restraint, false imprisonment,  
3           stalking, or any similar activity in violation of Federal,  
4           State or local criminal law.

5           (C) Any arrest or conviction of the client  
6           or person for—

7                   (i) solely or principally engaging in, or  
8                   facilitating, prostitution;

9                   (ii) any direct or indirect attempts to  
10                  procure prostitutes or persons for the purpose  
11                  of prostitution; or

12                  (iii) any receipt, in whole or in part,  
13                  of the proceeds of prostitution.

14           (D) Any arrest or conviction of the client  
15           or person for offenses related to controlled substances  
16           or alcohol.

17           (E) Marital history of the client or person,  
18           including—

19                   (i) whether the client or individual is  
20                   currently married;

21                   (ii) whether the client or person has  
22                   previously been married and how many  
23                   times;

1 (iii) how previous marriages of the cli-  
2 ent or person were terminated and the  
3 date of termination; and

4 (iv) whether the client or person has  
5 previously sponsored the immigration of an  
6 alien to whom the client or person was en-  
7 gaged or married.

8 (F) The ages of any children of the client  
9 or person under the age of 18.

10 (G) All States in which the client or person  
11 has resided since the age of 18.

12 (d) PENALTIES.—

13 (1) FEDERAL CIVIL PENALTY.—

14 (A) VIOLATION.—An international mar-  
15 riage broker that violates subsection (a), (b), or  
16 (c) is subject to a civil penalty of not less than  
17 \$20,000 for each such violation.

18 (B) PROCEDURES FOR IMPOSITION OF  
19 PENALTY.—The Secretary of Homeland Secu-  
20 rity may impose a penalty under paragraph (A)  
21 only after notice and an opportunity for an  
22 agency hearing on the record in accordance  
23 with subchapter II of chapter 5 of title 5,  
24 United States Code.

1           (2) FEDERAL CRIMINAL PENALTY.—An inter-  
 2           national marriage broker that violates subsection  
 3           (a), (b), or (c) within the special maritime and terri-  
 4           torial jurisdiction of the United States shall be fined  
 5           in accordance with subchapter B of chapter 229 of  
 6           title 18, United States Code, or imprisoned for not  
 7           less than 1 year and not more than 5 years, or both.

8           (3) STATE ENFORCEMENT.—In any case in  
 9           which the Attorney General of a State has reason to  
 10          believe that an interest of the residents of that State  
 11          has been, or is threatened to be, adversely affected  
 12          by a violation of subsection (a), (b), or (c) by an  
 13          international marriage broker, the State, as *parens*  
 14          
 15          residents of the State in a district court of the  
 16          United States with appropriate jurisdiction to—

17                       (A) enjoin that practice;

18                       (B) enforce compliance with this section;

19                       or

20                       (C) obtain damages.

21          (4) ADDITIONAL REMEDIES.—The penalties and  
 22          remedies under this subsection are in addition to  
 23          any other penalties or remedies available under law.

24          (e) NONPREEMPTION.—Nothing in this section shall  
 25          preempt—

1           (1) any State law that provides additional pro-  
 2           tections for aliens who are utilizing the services of  
 3           an international marriage broker or other inter-  
 4           national matchmaking organization; or

5           (2) any other or further right or remedy avail-  
 6           able under law to any party utilizing the services of  
 7           an international marriage broker or other inter-  
 8           national matchmaking organization.

9           (f) REPEAL OF MAIL-ORDER BRIDE PROVISION.—  
 10          Section 652 of the Illegal Immigration Reform and Immi-  
 11          grant Responsibility Act of 1996 (8 U.S.C. 1375) is here-  
 12          by repealed.

13       **SEC. 5. INFORMATION ABOUT LEGAL RIGHTS AND RE-**  
 14                               **SOURCES FOR IMMIGRANT VICTIMS OF DO-**  
 15                               **MESTIC VIOLENCE.**

16          (a) DEVELOPMENT OF INFORMATION PAMPHLET.—

17               (1) IN GENERAL.—The Secretary of Homeland  
 18          Security, in consultation with the Secretary of State,  
 19          shall develop an information pamphlet to ensure the  
 20          consistency and accuracy of information dissemi-  
 21          nated to—

22                       (A) foreign national clients or other indi-  
 23                       viduals by international marriage brokers pur-  
 24                       suant to section 4(b)(1)(C); and



1 (B) beneficiaries of petitions filed by  
2 United States citizens for K nonimmigrant  
3 visas.

4 (2) CONSULTATION WITH EXPERT ORGANIZA-  
5 TIONS.—The Secretary of Homeland Security, in  
6 consultation with the Secretary of State, shall de-  
7 velop such information pamphlet by working in con-  
8 sultation with non-profit, non-governmental immi-  
9 grant victim advocacy organizations.

10 (b) CONTENTS OF INFORMATION PAMPHLET.—The  
11 information pamphlet required under subsection (a) shall  
12 include information on the following:

13 (1) The K nonimmigrant visa application proc-  
14 ess and the marriage-based immigration process, in-  
15 cluding conditional residence and adjustment of sta-  
16 tus.

17 (2) The requirement that international mar-  
18 riage brokers provide foreign national clients with  
19 background information collected from United  
20 States clients regarding their marital history and do-  
21 mestic violence or other violent criminal history, but  
22 that such information may not be complete or accu-  
23 rate.

24 (3) The illegality of domestic violence, sexual  
25 assault, and child abuse in the United States.

1           (4) Information on the dynamics of domestic vi-  
2           olence.

3           (5) Domestic violence and sexual assault serv-  
4           ices in the United States, including the National Do-  
5           mestic Violence Hotline, a project of the Texas  
6           Council on Family Violence, a nonprofit organization  
7           dedicated to fighting domestic violence, and the Na-  
8           tional Sexual Assault Hotline, operated by the Rape,  
9           Abuse and Incest National Network, and inde-  
10          pendent anti-sexual assault organization.

11          (6) A description of immigration relief available  
12          to an immigrant victim of domestic violence, sexual  
13          assault, trafficking, and other crimes under the Vio-  
14          lence Against Women Act, including the amend-  
15          ments made by that Act, section 101(a)(15)(U) of  
16          the Immigration and Nationality Act (8 U.S.C.  
17          1101(a)(15)(U)), and section 101(a)(15)(T) of the  
18          Immigration and Nationality Act (8 U.S.C.  
19          1101(a)(15)(T)).

20          (7) The legal rights of immigrant victims of  
21          abuse and other crimes in immigration, criminal jus-  
22          tice, family law, and other matters.

23          (8) The obligations of parents to provide child  
24          support for children.

1           (9) The illegality of and penalties for knowingly  
 2           entering into marriage for the purpose of evading  
 3           the immigration laws of the United States.

4           (c) TRANSLATION.—

5           (1) LANGUAGES.—In order to best serve the  
 6           language groups most recruited by international  
 7           marriage brokers and having the greatest concentra-  
 8           tion of K nonimmigrant visa applicants, the Sec-  
 9           retary of Homeland Security, in consultation with  
 10          the Secretary of State, shall translate the informa-  
 11          tion pamphlet developed under this section, subject  
 12          to paragraph (2), into the following languages:

- 13                   (A) Arabic.
- 14                   (B) Chinese.
- 15                   (C) French.
- 16                   (D) Hindi.
- 17                   (E) Japanese.
- 18                   (F) Korean.
- 19                   (G) Polish.
- 20                   (H) Portuguese.
- 21                   (I) Russian.
- 22                   (J) Spanish.
- 23                   (K) Tagalog.
- 24                   (L) Thai.
- 25                   (M) Ukrainian.

1 (N) Vietnamese.

2 (2) MODIFICATION OF LANGUAGE.—The Sec-  
3 retary of Homeland Security may modify the trans-  
4 lation requirements of paragraph (1) if the report  
5 submitted under section 7(b) includes recommenda-  
6 tions for such modification.

7 (d) AVAILABILITY AND DISTRIBUTION.—The infor-  
8 mation pamphlet under this subsection shall be made  
9 available and distributed as follows:

10 (1) INTERNATIONAL MARRIAGE BROKERS AND  
11 VICTIM ADVOCACY ORGANIZATIONS.—The informa-  
12 tion pamphlet shall be made available to each inter-  
13 national marriage broker and to each governmental  
14 or non-governmental victim advocacy organization.

15 (2) K NONIMMIGRANT VISA APPLICANTS.—

16 (A) MAILING WITH IMMIGRATION  
17 FORMS.—The information pamphlet shall be  
18 mailed by the National Visa Center, of the Sec-  
19 retary of State, to each applicant for a K non-  
20 immigrant visa at the same time that Form  
21 DS-3032 is mailed to such applicant. The pam-  
22 phlet so mailed shall be in the primary lan-  
23 guage of the applicant, or in English if no  
24 translation into the applicant's primary lan-  
25 guage is available.

1 (B) POSTING ON NVC WEB SITE.—The  
 2 Secretary of State shall post the content of the  
 3 pamphlet on the web site of the National Visa  
 4 Center, as well as on the web sites of all con-  
 5 sular posts processing K nonimmigrant visa ap-  
 6 plications.

7 (C) CONSULAR INTERVIEWS.—The Sec-  
 8 retary of State shall require that the pamphlet  
 9 be distributed directly to such applicants at all  
 10 consular interviews for K nonimmigrant visas.  
 11 If no written translation into the applicant’s  
 12 primary language is available, the consular offi-  
 13 cer conducting the visa interview shall review  
 14 the pamphlet with the applicant orally in the  
 15 applicant’s primary language, in addition to dis-  
 16 tributing the pamphlet to the applicant in  
 17 English.

18 **SEC. 6. CHANGES IN PROCESSING K NONIMMIGRANT VISAS;**

19 **CONSULAR CONFIDENTIALITY.**

20 (a) K NONIMMIGRANT VISA PROCESSING.—Section  
 21 214(d) of the Immigration and Nationality Act (8 U.S.C.  
 22 1184(d)) is amended—

23 (1) by striking “Attorney General” and insert-  
 24 ing “Secretary of Homeland Security” each place it  
 25 appears;

1 (2) by inserting “(1)” before “A visa”; and

2 (3) by adding at the end the following:

3 “(2) A United States citizen may not file a petition  
4 under paragraph (1) if such a petition filed by that peti-  
5 tioner for another alien fiancée or fiancé is pending or has  
6 been approved and is still valid.

7 “(3) The Secretary of Homeland Security shall pro-  
8 vide to the Secretary of State the criminal background in-  
9 formation on a petitioner for a visa under clause (i) or  
10 (ii) of section 101(a)(15)(K) to which it has access under  
11 existing authority in the course of adjudicating the peti-  
12 tion.

13 “(4) Each petitioner for a visa under clause (i) or  
14 (ii) of section 101(a)(15)(K) shall provide, as part of the  
15 petition, in writing and signed under penalty of perjury,  
16 information described in section 4(c)(2) of the Inter-  
17 national Marriage Broker Regulation Act of 2005.

18 “(5) The Secretary of State shall ensure that an ap-  
19 plicant for a visa under clause (i) or (ii) of section  
20 101(a)(15)(K)—

21 “(A) shall be provided, by mail or electroni-  
22 cally—

23 “(i) a copy of the petition for such visa  
24 submitted by the United States citizen peti-  
25 tioner; and

1           “(ii) any information that is contained in  
2           the background check described in paragraph  
3           (3) relating to any court orders, arrests, or con-  
4           victions described in subparagraphs (A) through  
5           (D) of section 4(c)(2) of the International Mar-  
6           riage Broker Regulation Act of 2005;

7           “(B) shall be informed that petitioner informa-  
8           tion described in subparagraph (A) is based on avail-  
9           able records and may not be complete; and

10          “(C) shall be asked in the primary language of  
11          the visa applicant whether an international marriage  
12          broker has facilitated the relationship between the  
13          visa applicant and the United States petitioner and  
14          whether that international marriage broker complied  
15          with the requirements of section 4 of such Act.

16          “(6) The Secretary shall provide for the disclosure  
17          of information described in paragraph (5) to the visa ap-  
18          plicant at the consular interview in the primary language  
19          of the visa applicant.

20          “(7) The fact that an alien described in clause (i)  
21          or (ii) of section 101(a)(15)(K) is aware of any informa-  
22          tion disclosed under paragraph (5) shall not be used  
23          against the alien in any determination of eligibility for re-  
24          lief under this Act or the Violence Against Women Act

1 (Public Law 103–322; 108 Stat. 1902), and the amend-  
 2 ments made by that Act.

3 “(8) In fulfilling the requirements of paragraph  
 4 (5)(A)(ii), a consular officer shall not disclose the name  
 5 or location of any person who obtained a restraining or  
 6 protective order against the petitioner, but shall disclose  
 7 the relationship of the person to the petitioner.”.

8 (b) SHARING OF CERTAIN INFORMATION.—Section  
 9 222(f) of the Immigration and Nationality Act (8 U.S.C.  
 10 1202(f)) shall not be construed to prevent the sharing of  
 11 information under section 214(d) of such Act (8 U.S.C.  
 12 1184(d)).

13 (c) EFFECTIVE DATE.—The amendment made by  
 14 subsection (a) shall apply to petitions filed after the date  
 15 of enactment of this Act.

16 **SEC. 7. STUDY AND REPORT.**

17 (a) STUDY.—The Secretary of Homeland Security,  
 18 through the Director of the Bureau of Citizenship and Im-  
 19 migration Services, shall conduct a study of the inter-  
 20 national marriage broker industry in the United States  
 21 that—

22 (1) estimates, for the years 1995 through  
 23 2005, the number of international marriage brokers  
 24 doing business in the United States, the number of  
 25 marriages resulting from the services provided by



1 such brokers, and the extent of compliance with the  
2 applicable requirements of this Act;

3 (2) assess the information gathered under this  
4 Act from clients by international marriage brokers  
5 and from petitioners by the Bureau of Citizenship  
6 and Immigration Services;

7 (3) examine, based on the information gathered,  
8 the extent to which persons with a history of vio-  
9 lence are using the services of international marriage  
10 brokers and the extent to which such persons are  
11 providing accurate information to international mar-  
12 riage brokers in accordance with section 4;

13 (4) assess the accuracy of the criminal back-  
14 ground check at identifying past instances of domes-  
15 tic violence; and

16 (5) assess the extent to which the languages of  
17 translation required under section 5(c)(1) continue  
18 to accurately reflect the highest markets for recruit-  
19 ment by international marriage brokers and the  
20 greatest concentrations of K nonimmigrant visa ap-  
21 plicants.

22 (b) REPORT.—Not later than 3 years after the date  
23 of enactment of this Act, the Secretary of Homeland Secu-  
24 rity shall submit a report to the Committee on the Judici-  
25 ary of the Senate and the Committee on the Judiciary of

1 the House of Representatives setting forth the results of  
2 the study conducted under subsection (a).

3 **SEC. 8. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as provided in subsection  
5 (b), section 5, and the amendments made by section 6,  
6 this Act shall take effect on the date which is 60 days  
7 after the date of enactment of this Act.

8 (b) ADDITIONAL TIME ALLOWED FOR INFORMATION  
9 PAMPHLET.—Section 5(b) shall take effect on the date  
10 which is 120 days after the date of enactment of this Act.

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